

In re: W.R. Grace & Co.-Conn., Case No. 01-01140

AMENDMENT NO. 1

ITEM 17 - ENVIRONMENTAL INFORMATION

GENERAL NOTES

1. The Debtor has owned and operated a substantial number of manufacturing and industrial businesses since the formation of the original W. R. Grace & Co. over 100 years ago, including, without limitation, businesses that have been purchased and subsequently divested, as well as those from which services such as waste handling, transportation, and disposal have been purchased. While every reasonable effort has been made to ensure the accuracy of this Amendment, inadvertent errors or omissions may exist. The Debtor has conducted diligent investigation to identify sites and proceedings responsive to Item 17, but may not have identified all such matters at the time of the filing of this Amendment. In particular, identifying and collecting information relating to the Debtor's operations prior to the year 1990, particularly for businesses no longer owned by the Debtor, would be unduly burdensome and cost prohibitive. The Debtor reserves all rights to amend its Schedules and Statements, including this Amendment, as may be necessary or appropriate to reflect subsequently identified sites or proceedings.
2. W.R. Grace & Co.-Conn. is providing this response to Item 17 on behalf of all of the Grace companies that have filed for Chapter 11 protection. Most, but not all, of the sites listed in response to Item 17 are or were owned or operated by, or may otherwise be associated with operations of, W. R. Grace & Co.-Conn. It is likely, however, that some of the listed sites are or were owned or operated by, or may otherwise be associated with operations of, Grace subsidiaries, but not W. R. Grace & Co.-Conn. As additional information becomes available and further research is conducted, the allocation of sites and proceedings among Debtor subsidiaries and affiliates may change.
3. This Amendment does not include information relating to notices of violation or notices of potential liability received by the Debtor prior to the year 1990, unless such notices led to responsive action by the Debtor that is currently on-going. The notices of violation that are included herein are undifferentiated in terms of monetary significance or administrative status. The majority of the listed notices relate to matters that involved no impact to the environment and that have been fully resolved.
4. Sites that are listed in relation to Item 17a are not listed again in relation to Item 17b, even if they are also locations for which the Debtor provided notices of

release to a governmental unit.

5. This Amendment does not include matters arising under non-environmental laws such as mine safety and health, occupational safety and health, and transportation laws.
6. This Amendment does not always specifically identify particular environmental laws at issue with respect to some of the entries herein. Therefore, references, for example, to the "Clean Water Act" may refer to both the related federal and/or state environmental laws, depending upon the governmental agency(ies) involved.
7. The Debtor does not centrally track, in the ordinary course of business, routine reports of discharges, emissions, and other releases that result from normal operations and which are in compliance with regulatory requirements pursuant to permitting or other regulatory obligations (for example, discharge monitoring reports, toxic release inventory forms, air emissions inventories, and similar documents), as well as courtesy communications to agencies that may have been provided for spills below reportable quantities. Accordingly, such items are not itemized herein. To list such items would be unduly burdensome and cost prohibitive to the Debtor.
8. Administrative and judicial proceedings associated with sites identified in Items 17a and 17b are not repeated in Item 17c.
9. This Amendment does not list closed administrative or judicial proceedings, where the terms of the settlement or judgment have been fully implemented, nor does it list the sites associated with such closed or settled proceedings.
10. Certain records maintained by the Debtor do not provide all of the information requested in Item 17. In those instances, the Debtor has provided all available information, but reserves its right to amend or supplement its Schedules and Statements, including this Amendment, as may be necessary or appropriate.